



## RESOLUTION

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF TRANSPORTATION TO TRANSFER FEDERAL FISCAL YEAR 2012 JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM SMALL URBANIZED AREA FUNDS TO THE CITY AND COUNTY DEPARTMENT OF TRANSPORTATION SERVICES.

WHEREAS, Chapter 1, Article 8, Revised Ordinances of Honolulu, as amended (ROH), requires that any intergovernmental agreement or any amendments thereto which places an obligation upon the City or any department or agency thereof shall require prior City Council's consent and approval; and

WHEREAS, Chapter 1, Article 8, ROH, also requires that, when carrying out the provisions of any intergovernmental agreement, all applications and/or other official communications which support the application and which are required to be provided by the City or its component departments to any other governmental or quasi-governmental agency shall first be presented to the City Council for its review and approval prior to their transmittal; and

WHEREAS, the Federal Transit Administration (FTA) is an operating Administration of the United States Department of Transportation; and

WHEREAS, the City and County of Honolulu is the designated recipient of FTA Section 5307 large urbanized area funds apportioned to the State of Hawaii; and

WHEREAS, the Mayor of the City and County of Honolulu has designated the Department of Transportation Services as the recipient of FTA Section 5307 large urbanized area funds apportioned to the State of Hawaii; and

WHEREAS, the State of Hawaii is the designated recipient of FTA small urbanized area funds apportioned to the State of Hawaii for the Job Access and Reverse Commute (JARC) and New Freedom programs; and

WHEREAS, the Governor of the State of Hawaii has designated the State of Hawaii Department of Transportation (HDOT) as the recipient of FTA small urbanized area funds apportioned to the State of Hawaii for the JARC and New Freedom programs; and

WHEREAS, the JARC program is administered under FTA Circular FTA C 9050.1, dated May 1, 2007; and



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WHEREAS, the New Freedom program is administered under FTA Circular FTA C 9045.1, dated May 1, 2007; and

WHEREAS, FTA Circular FTA C 9050.1, Section III. 8., allows a State to transfer JARC funds apportioned to the State for small urbanized areas to the Section 5307 funds apportioned to the State for large urbanized areas; and

WHEREAS, FTA Circular FTA C 9045.1, Section III. 8., allows a State to transfer New Freedom funds apportioned to the State for small urbanized areas to the Section 5307 funds apportioned to the State for large urbanized areas; and

WHEREAS, Title 49 U.S.C. 5316, as amended by SAFETEA-LU, requires a recipient of JARC funds to certify that projects selected are derived from a locally developed, coordinated public transit-human services transportation plan developed through a process that includes representatives of public, private and non-profit transportation and human service providers, participation by the public, and representatives addressing the needs of low-income individuals; and

WHEREAS, Title 49 U.S.C. 5317, as amended by SAFETEA-LU, requires a recipient of New Freedom funds to certify that projects selected are derived from a locally developed, coordinated public transit-human services transportation plan developed through a process that includes representatives of public, private and non-profit transportation and human service providers, participation by the public, and representatives addressing the needs of individuals with disabilities; and

WHEREAS, the City has adopted a coordinated public transit-human services transportation plan ("coordination plan") developed through a process that includes representatives of public, private and non-profit transportation and human service providers, participation by the public, and representatives addressing the needs of low-income individuals and the needs of individuals with disabilities, and which includes competitive selection of projects to serve both small urbanized and large urbanized areas of Oahu; and

WHEREAS, the Director of HDOT has submitted a letter to the Director, Department of Transportation Services ("DTS Director") proposing to transfer Hawaii's Federal Fiscal Year (FFY) 2012 small urbanized area apportionment of JARC and New Freedom funds to Hawaii's large urbanized area apportionment of Section 5307 funds. The letter includes a certification form for the DTS Director's signature to confirm the following: The amount of Hawaii's apportionment of small urbanized area JARC and New Freedom funds to be transferred, that the coordination plan incorporates small urbanized areas on Oahu, that the coordination plan includes competitive selection of



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projects using these funds, and that projects using these funds will serve needs in small urbanized areas of Oahu; and

WHEREAS, the proposed transfer of Hawaii's apportionment of FFY 2012 JARC and New Freedom funds for small urbanized areas to Hawaii's apportionment of Section 5307 funds for large urbanized areas will impose certain obligations upon the City, and may require the City to provide the local share of project costs; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the DTS Director, or the DTS Director's designee, is authorized to sign the certification form confirming to the Director of HDOT the amount of Hawaii's FFY 2012 small urbanized area apportionment of JARC and New Freedom funds to be transferred, that the coordination plan incorporates small urbanized areas on Oahu, that the coordination plan includes competitive selection of projects using these funds, and that projects using these funds will serve needs in small urbanized areas of Oahu. The letter from the Director of HDOT and the certification form are attached hereto as Exhibit 1, and by reference are made a part of this Resolution; and

BE IT FURTHER RESOLVED that the DTS Director may make minor or editing changes, provided that no substantive additions or deletions are made; and

BE IT FURTHER RESOLVED:

1. That the DTS Director or the Director's designee is authorized to execute other documents the FTA may require before transferring Hawaii's FFY 2012 apportionment of JARC and New Freedom funds for small urbanized areas to Hawaii's apportionment of Section 5307 funds for large urbanized areas, so long as such documents do not incur additional obligations on the part of the City;
2. That the Corporation Counsel or the Corporation Counsel's designee is authorized to execute other documents the FTA may require before transferring Hawaii's FFY2012 apportionment of JARC and New Freedom funds for small urbanized areas to Hawaii's apportionment of Section 5307 funds for large urbanized areas, so long as such documents do not incur additional obligations on the part of the City;
3. That the DTS Director or the Director's designee is authorized to furnish such additional information as the FTA may require before transferring Hawaii's FFY 2012 apportionment of JARC and New Freedom funds for small urbanized areas to Hawaii's apportionment of Section 5307 funds for large urbanized areas; and



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## EXHIBIT 1

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO  
DIRECTOR

Deputy Directors  
JADE T. BUTAY  
FORD N. FUCHIGAMI  
RANDY GRUNE  
JADINE URASAKI

IN REPLY REFER TO:

STP 8.1260

July 17, 2013

The Honorable Michael D. Formby  
Director  
City and County of Honolulu  
Department of Transportation Services  
650 South King Street, 3<sup>rd</sup> Floor  
Honolulu, Hawaii 96813

Dear Mr. Formby:

Subject: Certification of Small Urbanized Area Funds for  
Job Access and Reverse Commute (JARC) and  
New Freedom (NF) Programs

After discussions with Ms. Eileen Mark and Mr. Scott Ishiyama, the State Department of Transportation Statewide Transportation Planning Office (STP) proposes to transfer the subject funds. STP will transfer the Federal Fiscal Year (FFY) 2012 JARC and NF Small Urbanized Area funds (shown in the table below) to the City & County of Honolulu, Department of Transportation Services (DTS), prior to its lapsing at the end of FFY 2014.

FFY	JARC	NF
2012	\$ 66,721	\$ 57,941

If this proposal is satisfactory to DTS, please sign and return the enclosed certification, attention:

Mr. Ryan Fujii  
Statewide Transportation Planning Office  
200 Rodgers Boulevard  
Honolulu, Hawaii 96819

Please contact Mr. Dean Nakagawa, Planning Program Administrator of the Statewide Transportation Planning Office at telephone number 831-7968, if there are any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Glenn M. Okimoto".

GLENN M. OKIMOTO, Ph.D.  
Director of Transportation

Attachment: Certification

**CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF TRANSPORTATION SERVICES**

**CERTIFICATION**

The City and County of Honolulu, Department of Transportation Services (DTS), confirms that the State of Hawaii Department of Transportation will transfer the following amounts from its Federal Transit administration (FTA) small urbanized area Job Access and Reverse Commute (JARC) and New Freedom (NF) funds to the FTA large urbanized area fund.

FFY	JARC	NF
2012	\$ 66,721	\$ 57,941

The DTS confirms that the City's human services transportation coordination plan for Oahu incorporates small urbanized areas on Oahu. The DTS also confirms that its coordination plan includes competitive selection of projects using these funds, and that projects using these funds will serve needs in small urbanized areas of Oahu.

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Michael D. Formby  
Director, Department of Transportation Services

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Date

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

**RESOLUTION 13-247**

Introduced: 10/14/13 By: ERNEST MARTIN (BR)

Committee: INTERGOVERNMENTAL  
AFFAIRS AND HUMAN  
SERVICES

Title: RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION TO TRANSFER FEDERAL FISCAL YEAR 2012 JOB ACCESS AND  
REVERSE COMMUTE (JARC) AND NEW FREEDOM SMALL URBANIZED AREA FUNDS TO THE CITY AND  
COUNTY DEPARTMENT OF TRANSPORTATION SERVICES.

Voting Legend: \* = Aye w/Reservations

10/31/13	INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES	CR-352 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
11/13/13	COUNCIL	CR-352 AND RESOLUTION 13-247 WERE ADOPTED.  8 AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE.  1 ABSENT: FUKUNAGA.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

  
BERNICE K. N. MAU, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER